

## **REMARKS/ARGUMENTS**

The present Amendment is responsive to the final Office Action mailed July 24, 2008, in the above-identified application.

Claims 1-6, 9-13 and 15-19 are the claims currently presented for examination.

Claims 1-3, 13 and 15 are amended to clarify features recited thereby. Further, claims 4, 5, 12, 16 and 17 are amended so as to conform them more closely to U.S. patent practice style. These claim amendments are fully supported by applicant's disclosure and are believed to add no features previously unrecited. Therefore, the claim amendments are believed to necessitate no further searching and to raise no new issues and thus should be entered into the record at this time.

### ***Rejection of Claims 1-4, 6, 15, 16, 18 and 19 under 35 U.S.C. § 103***

Claims 1-4, 6, 15, 16, 18 and 19 are rejected under 35 U.S.C. § 103 as being obvious from Garrett et al., U.S. Patent No. 3,899,945 in view of Hirakawa et al., U.S. Patent No. 5,297,461. Reconsideration of this rejection is respectfully requested.

Without intending to limit the scope of the claims, according to an aspect of applicant's invention as claimed in claims 1 and 15, the counter-tooling 56, 156 is provided with a working strip 57, 157, 257, 357 that extends in length parallel to a rotation axis of the second rotary support shaft of the counter-tooling, 56, 156, 256, 356, 456 and the working strip has a width in a circumferential direction greater than a width  $L_0$  of the first tooling 53, 53' supported by the first rotary support shaft 52. This is explained, for example, at applicant's disclosure, page 15, second full paragraph and shown in Figs. 5-8. As explained, for example, at applicant's disclosure, page 15, first full paragraph, because of the shape of the working strips, and in particular, their width relative to the width  $L_0$  of the first tooling, the deformation and/or permanent folding created at the portions of the sheets pressed by the first tooling against the working strip by the pressing of the sheet against the surface of the counter-tooling is thus mitigated.

Claims 1 and 15 require a machine for processing a sheet for production of packagings, the machine comprising a processing apparatus comprising a first tooling supported by a first rotary support shaft and a counter-tooling supported by a second rotary support shaft, the first rotary support shaft and the second rotary support shaft extending transversely to the drive direction of the sheet and disposed opposite each other, the counter-tooling having a substantially

cylindrical surface comprising at least one working strip positioned thereon, the at least one working strip extending in length parallel to a rotation axis of the second rotary support shaft and being radially offset relative to portions of the cylindrical surface adjacent to the at least one working strip, the at least one working strip being shaped and positioned to cooperate with the first tooling to form a cutout or fold, the at least one working strip having a width in a circumferential direction greater than a width of the first tooling.

Garrett discloses an apparatus for die cutting of paperboard blanks passing between a pair of cooperating die and anvil cylinders (Garrett, Abstract). Garrett discloses controlling the accuracy of cuts 48a and 48b made in a paperboard blank 40 passing between the pair of cooperating die and anvil cylinders 16 and 18, the method including the steps of driving the die cylinder 16 at a first preselected angular velocity, driving the anvil cylinder 18 at a second angular velocity proportional to the angular velocity of the die cylinder, and selectively changing and maintaining the second angular velocity equal to, faster or slower than the first angular velocity, such that the preselected proportion of the velocities is maintained during changes in first angular velocity for controlling the velocity of the blank 40. The die-cutter 10 includes a mechanical variable speed transmission.

Garrett is not directed to mitigating or suppressing damage to the processed sheet as the result of the contact between the first tooling of the first rotary support shaft and the surface of the counter-tooling. In particular, Garrett does not disclose or suggest the working strip extending in length parallel to a rotation axis of the second rotary support shaft and having a width in a circumferential direction greater than a width of the first tooling, as required by claims 1 and 15.

Hirakawa discloses an anvil cylinder including a plurality of ring-shaped sections along an axial direction of the shaft, and elastic bodies fixedly secured to parts of the outer circumferential surfaces of the anvil cylinder sections over the entire length of the cylinder (Hirakawa, Abstract). Hirakawa describes that a rotary shear disposed in a traveling passage of a corrugated cardboard web cuts and slits in the widthwise direction of the corrugated cardboard web and that a knife 1 is secured on a knife cylinder 2. Hirakawa discloses that elastic bodies 3 are fixedly secured to parts of the outer circumferential surfaces mounted to the shaft 9 of the anvil cylinder 4, and that surfaces are adjustable relative to the shaft 9 to position selectively the

elastic bodies 3 between a first position in cutting phase with the knife 1 and a second position out of cutting phase with the knife.

The Office Action mistakenly identifies the problem solved by applicant's disclosure as obviating a shortcoming of breaking of the sheet at a change point (Office Action, page 3). Applicant's disclosure, page 1, line 20 - page 2, line 15, and the aspect of the invention claimed in claims 1 and 15 earlier discussed should be consulted for a more accurate presentation of the problems to be solved.

Further, Hirakawa discloses only one cutting line N, and Fig. 5 of Hirakawa discloses the view along arrow B and the width of the elastic body 15 only as a consequence of the severing of the anvil cylinder and not as a sought purpose of Hirakawa.

Hirakawa does not disclose or suggest the above-cited feature of claims 1 and 15, in particular, that the at least one working strip has a width in a circumferential direction greater than a width of the first tooling. Accordingly, even taken together in combination, the cited art does not disclose or suggest the recitations of claims 1 and 15.

Claims 2-4 and 6 depend from claim 1, and claims 16, 18 and 19 depend from claim 15. Therefore, claims 2-4, 6, 16, 18 and 19 are patentably distinguishable over the cited art for at least the same reasons as their respective base claims.

#### ***Rejection of Claims 5, 9-13 and 17 under 35 U.S.C. § 103***

Claims 5 and 17 are rejected under 35 U.S.C. § 103 as being obvious from Garrett and Hirakawa in view of Kishine et al., U.S. Patent No. 6,401,583. Claims 9-13 are rejected under 35 U.S.C. § 103 as being obvious from Garrett and Hirakawa in view of Thiel et al., U.S. Patent No. 6,220,134. Reconsideration of these rejections is respectfully requested.

Kishine does not cure the above-discussed deficiencies of Garrett and Hirakawa as they relate to the above-noted features of claims 1 and 15. Therefore, even taken together in combination, Garrett, Hirakawa Kota and Kishine do not disclose or suggest the recitations of claims 1 and 15. Accordingly, since claims 5 and 17 depend from claims 1 and 15, respectively, claims 5 and 17 are patentably distinguishable over the cited art for at least the same reasons as their respective base claims.

Thiel does not cure the above-discussed deficiencies of Garrett and Hirakawa as they relate to the above-noted features of claim 1. Therefore, even taken together in combination,

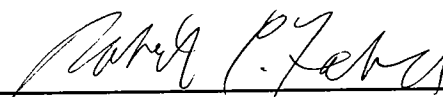
Garrett, Hirakawa and Thiel do not disclose or suggest the recitations of claim 1. Accordingly, since claims 9-13 depend from claim 1, they are patentably distinguishable over the cited art for at least the same reasons.

In view of the foregoing discussion, withdrawal of the rejections and allowance of the claims of the application are respectfully requested.

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Respectfully submitted,



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